



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814-4708

May 4, 2006

IN REPLY REFER TO

HDA-CA

Document # 49079

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, California 95814

Attention: Rachel Falsetti, Transportation Programming, MS-82

Dear Mr. Kempton:

SUBJECT: FY 2004/05 FSTIP Amendment No. 9 – Merced County Association of Governments (MCAG)

The Federal Highway Administration (FHWA) has completed its review of Amendment No. 9 to the MCAG's 2004/05-2006/07 Federal Transportation Improvement Program (FTIP) that was submitted by your letter dated April 4, 2006. MCAG adopted this amendment with Resolution No. 2005/09-15-03 on September 15, 2005 approving these program modifications and reaffirming the conformity of the MCAG FTIP with the applicable State Implementation Plan (SIP) for air quality.

This amendment was requested by the California Department of Transportation (Caltrans) to add the Hilmar/Turlock Highway 99 interchange Project Study Report (PSR) project funded from the following: Federal High Priority Project, Section 1702, #716; Transportation Improvement, Section 1934, #18; local matching funds; and local advance construction (AC) funds. FHWA reminds Caltrans that per our FHWA-FTA Fiscal Constraint Guidance of June 27, 2005, AC projects or project phases are to be included in the FTIP/FSTIP when implemented as a State or locally funded project, and when converted from AC to a Federal-aid project. We expect this to be addressed with the development of the 2006 FTIPs and FSTIP.

We accept this amendment in accordance with the provisions of 23 CFR Part 450. We find that this amendment was developed through a continuing, cooperative, and comprehensive transportation planning process carried out in accordance with the provisions of 23 U.S.C. section 134, and section 8 of the Federal Transit Act (49 U.S.C. app. §1607). Based on our review, we find that changes made to the MCAG FTIP by this amendment are for project types within Table 2 & 3 – Exempt Projects, of 40 CFR 93.126 and 93.127, and are exempt from the requirement that a conformity determination be performed. Therefore, we find this FTIP to conform to the applicable State Implementation Plan (SIP).

This finding has been coordinated with the regional office of the Environmental Protection Agency (EPA) and Region IX office of the Federal Transit Administration (FTA) in accordance with the procedures outlined on the Memorandum of Understanding between the FHWA, California Division, and the FTA, Region IX dated July 15, 2004, on Roles and Responsibilities for Single Mode Amendments.

This letter also constitutes approval and inclusion of the MCAG's FTIP Amendment No. 9 into California's 2004/05 – 2006/07 Federal Statewide Transportation Improvement Program.

If you have any questions or need further information, please contact Mr. Leigh Levine of the Federal Highway Administration, California Division office at (916) 498-5034.

Sincerely,

/s/ Mayela Sosa

For
Gene K. Fong
Division Administrator



cc: (e-mail)

Jesse B. Brown, MCAG

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(Other):

MCAG 2004 FTIP Binder

LLevine:lmg